

**REMARKS**

Claim 22 is canceled herein. Claims 23-29 are added herein. Claims 1-21 and 23-29 now remain pending in the application.

**Interview**

The Applicants thank the Examiner for granting and conducting an Interview on December 14, 2005. During the Interview, the Applicants and the Examiner discussed the claim amendments in view of the cited prior art. The Examiner suggested the Applicants amend the pending claims to include details related to signal sources in relation to the structure of the disclosed apparatus and method. The pending claims are amended herein as suggested by the Examiner to include more details related to signal sources in relation to the structure of the disclosed apparatus and method.

**35 USC 112 Second Paragraph Rejection of Claims 1, 14 and 15**

The Office Action rejected claims 1, 14 and 15 as allegedly being indefinite under 35 USC 112 as allegedly being unclear.

Claims 1, 14 and 15 are amended herein. It is respectfully submitted that claim 1, 14 and 15 are now in full conformance with 35 USC 112. It is respectfully requested that the rejection be withdrawn.

**Claims 1-15, 17, 20 and 22 over Li in view of Sacca and Chamberlin**

In the Office Action, claims 1-15, 17, 20 and 22 were rejected under 35 USC 103(a) as allegedly being obvious over U.S. Pat. No. 5,646,990 to Li ("Li") in view of U.S. Pat. No. 5,692,042 to Sacca ("Sacca") and U.S. Pat. No. 4,817,127 to Chamberlin et al. ("Chamberlin"). The Applicants respectfully traverse the rejection.

Claim 22 is canceled herein, making the rejection of claim 22 now moot.

Claims 1-15, 17 and 20 recite a method and system to combine a message playback signal with a receive signal into a receive path **before**

performing automatic gain control and after performing hybrid echo cancellation allowing the message playback signal to be heard by a near-end party at a comparable level as the receive signal.

The Examiner acknowledges that Li fails to disclose injecting a message playback signal into a speakerphone, and a recording module for recording a telephone conversation from a telephone line (see Office Action, page 3). The Office Action relies on Sacca and Chamberlin to allegedly make up for the deficiencies in Li to arrive at the claimed features. The Applicants respectfully disagree.

Sacca is relied on to disclose a voice messaging system with speakerphone capability that injects a playback message into a receiving path (see Office Action, page 3). However, Sacca fails to even mention use of hybrid echo cancellation, much less disclose or suggest a method and system to combine a message playback signal with a receive signal into a receive path before performing automatic gain control and after performing hybrid echo cancellation allowing the message playback signal to be heard by a near-end party at a comparable level as the receive signal, as recited by claims 1-15, 17 and 20.

Moreover, Sacca discloses use of summing amplifiers 120 and 142. However, Sacca fails to disclose or suggest use of an automatic gain control, much less disclose or suggest a method and system to combine a message playback signal with a receive signal into a receive path before performing automatic gain control and after performing hybrid echo cancellation allowing the message playback signal to be heard by a near-end party at a comparable level as the receive signal, as recited by claims 1-15, 17 and 20.

The Examiner relies on Chamberlin to allegedly make up for the deficiencies in Li in view of Sacca to arrive at the claimed features. The Applicants respectfully disagree. Chamberlin, like Sacca, fails to even mention use of hybrid echo cancellation, much less disclose or suggest a method and system to combine a message playback signal with a receive signal into a receive path before performing automatic gain control and after performing hybrid echo cancellation allowing the message playback signal to be heard by a

near-end party at a comparable level as the receive signal, as recited by claims 1-15, 17 and 20.

Moreover, Chamberline fails to disclose or suggest use of a hybrid echo cancellation or automatic gain control, much less disclose or suggest a method and system to combine a message playback signal with a receive signal into a receive path before performing automatic gain control and after performing hybrid echo cancellation allowing the message playback signal to be heard by a near-end party at a comparable level as the receive signal, as recited by claims 1-15, 17 and 20.

Thus, even if it were obvious to modify Li with the disclosure of Sacca and Chamberlin, which it is not since Li fails to disclose or suggest a **NEED** for the suggested modification, Li in view of Sacca and Chamberlin fails to disclose or suggest a method and system to combine a message playback signal with a receive signal into a receive path before performing automatic gain control and after performing hybrid echo cancellation allowing the message playback signal to be heard by a near-end party at a comparable level as the receive signal, as recited by claims 1-15, 17 and 20.

For at least these reasons, claims 1-15, 17 and 20 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

#### **Claims 16, 18, 19 and 21 over Li and Sacca**

Claims 16, 18, 19 and 21 were rejected under 35 USC 103(a) as allegedly being obvious over Li in view of Sacca. The Applicants respectfully traverse the rejection.

Claims 16, 18, 19 and 21 recite a method and system to combine a message playback signal with a receive signal into a receive path before performing automatic gain control and after performing hybrid echo cancellation allowing the message playback signal to be heard by a near-end party at a comparable level as the receive signal.

As discussed above, even if it were obvious to modify Li with the disclosure of Sacca, which it is not since Li fails to disclose or suggest a **NEED**

for the suggested modification, Li in view of Sacca fails to disclose or suggest a method and system to combine a message playback signal with a receive signal into a receive path before performing automatic gain control and after performing hybrid echo cancellation allowing the message playback signal to be heard by a near-end party at a comparable level as the receive signal, as recited by claims 16, 18, 19 and 21.

For at least these reasons, claims 16, 18, 19 and 21 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

**Conclusion**

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



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